

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN**

ANDREW LONGUSKI,

Plaintiff,

NO. 2:19-190

v

HON. PAUL L. MALONEY

RYAN AKERS and GARY DEMERS,

MAG. MAARTEN VERMAAT

Defendants.

Julie A. Gafkay (P53680)

Gafkay Law, PLC
Attorney for Plaintiff
175 S. Main Street
Frankenmuth, MI 48734
(989) 652-9240
jgafkay@gafkaylaw.com

John G. Fedynsky (P65232)

Joseph T. Froelich (P71887)
Assistant Attorneys General
Attorneys for Defendant Akers
Michigan Dept. of Attorney General
State Operations Division
P.O. Box 30754
Lansing, MI 489909
(517) 335-7573
fedynskyj@michigan.gov
froeichj1@michigan.gov

James T. Farrell (P35400)

Assistant Attorney General
Attorney for Defendant Demers
Michigan Dept. of Attorney General
MDOC Division
P.O. Box 30217
Lansing, MI 48909
(517) 335-3055
farrellj@michigan.gov

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**D/SGT GARY DEMERS' MOTION FOR DISMISSAL AND FOR
SUMMARY JUDGMENT BASED ON QUALIFIED IMMUNITY**

Michigan State Police D/Sgt. Gary Demers (pronounced ‘DeMars’), defendant herein, by Dana Nessel, Attorney General for the State of Michigan, and James T. Farrell, Assistant Attorney General, moves under FRCivP 56 for summary judgment based on the merits and under the doctrine of qualified immunity.

The undersigned has had an email exchange with plaintiff’s counsel seeking concurrence in the relief sought in this Motion. Ms. Gafkay would not consent to dismiss D/Sgt. Demers from the case.

WHEREFORE, D/Sgt. Demers respectfully requests that this Motion be granted, and that the Court dismiss him from this case.

Respectfully submitted,

DANA NESSEL
Attorney General

/s/ James T. Farrell
James T. Farrell (P35400)
Assistant Attorney General
Attorney for Defendant Demers
MDOC Division
P.O. Box 30217
Lansing, MI 48909
517.335.3055
farrellj@michigan.gov

Dated: November 16, 2020

CERTIFICATE OF SERVICE

I hereby certify that on **November 16, 2020**, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such. I also mailed the foregoing paper via US Mail to all non-ECF participants.

/s/ Terri J. Davis
Terri J. Davis, Legal Secretary
Michigan Dept. of Attorney General
MDOC Division